

### **REMARKS/ARGUMENTS**

Applicant would like to thank the Examiner for the careful consideration given the present application.

Claims 1, 3, 4, 6, and 8-10 stand rejected under 35 U.S.C. 102(b) as being anticipated by Raissyan et al. (U.S. Patent No. 5,703,935). For at least the following reasons, the examiner's rejection is respectfully traversed.

Raissyan does not disclose or teach "a system of collecting survey information comprising: a first questioning series of core item questions developed to support a survey purpose; and a second questioning series of drill-down questions, wherein each of the drill-down questions is associated with one of the core item questions and is presented only when a response to the associated core item question meets a specified criterion" as recited in claim 1.

Raissyan discloses a method of using an automated operator center to select a telephone billing option from a menu of options before a call is connected (col. 10, lines 4-19). The Raissyan menu presented to a caller includes: for collect press 11 now; enter card number now; for 3<sup>rd</sup> party billing enter number now; and for other calls press 0 or hold for operator (Fig. 2C). In Raissyan, the call and billing for the call are then processed according to the option selected by the caller (col. 10, line 32, to col. 15, line 34; Figs. 3A-3C, 5A-5C, and 7A-7C).

Raissyan merely discloses a menu of options from which a caller may select a billing option. Thus, Raissyan only teaches a menu of options and does not teach a *survey* process. Therefore, Raissyan fails to disclose or teach a system of collecting survey information as in the claimed invention.

Since the Raissyan menu of options does not ask any questions of the caller, Raissyan fails to teach a series of questions. Therefore, Raissyan does not teach a first questioning series

of core item questions or a second questioning series of drill-down questions. Thus, Raissyan does not disclose or teach all the elements of the claimed invention.

Further with regards to claim 1, Raissyan does not disclose or teach “the system is one of an automated questioning and recording system and an agent questioning and recording system, wherein the system is able to switch between the automated system and the agent system during the first questioning series and the second questioning series” as recited in claim 1. Similar language is found in claim 8.

Raissyan discloses that the flow of manually-handled calls matches the automated call processing, so that a transfer from automatic to manual processing can be picked up at any time without loss of continuity in handling the call (col. 7, lines 4-10). In Raissyan, the automated call processing uses a menu of options to present to the caller and an automatic response device 113 to receive telephone DTMF tones inputted by a caller (Fig. 2A and 2C; col. 8, lines 34-44). The menu of options used by the Raissyan automated call processing is not used by the live operator (col. 1, lines 23-40; Fig. 2A-2).

The Raissyan billing flow process and the menu of options are not a questioning series. Therefore, the Raissyan automated call processing does not ask questions and record the answers of a questioning series, and the Raissyan live operator does not ask questions and record the answers of a questioning series. Thus, Raissyan fails to teach that the automated call processing is an automated questioning and recording system or that the live operator is an agent questioning and recording system as in the claimed invention.

Although Raissyan can transfer from the automated call processing to a live operator during the call billing flow process, the live operator does not use the menu of options of the automated call processing during the call billing flow process. Additionally, the call billing flow

process and the menu of options are not a questioning series. Therefore, Raissyan fails to teach switching between the automated call processing and the live operator during a questioning series. Thus, Raissyan does not disclose or teach all the elements of the claimed invention.

With regards to claim 3, Raissyan does not disclose or teach “wherein the second questioning series contains verbatim questions, wherein a related-verbatim question is presented only when a response to a previous question meets a specified criterion, and wherein a detailed response to the verbatim question may be given to further explain the response to the previous question” as recited in claim 3.

Raissyan discloses in step 313, that the caller is directed to speak his name, which is recorded at step 314 for a later playback (col. 10, lines 59-61; Fig. 3A).

Although Raissyan may make a voice recording, this voice recording is not in response to a question. Therefore Raissyan fails to teach that a second questing series contains verbatim questions or that a related-verbatim question is presented only when a response to a previous question meets a specified criterion. Thus, Raissyan does not disclose or teach all the elements of the claimed invention.

With regards to claim 6, Raissyan does not disclose or suggest “a method of collecting and managing survey data comprising the steps of: presenting a first core item question and recording a response to the first core item question; interpreting the first core item response; presenting at least one drill-down question and recording a response to the drill-down question only if the first core item response meets a specified criterion, interpreting the response to the drill-down question, and ... presenting a second core item question and recording a response to the second core item question” as recited in claim 6.

As mentioned previously for claim 1, Raissyan merely discloses a menu of options from

which a caller may select a billing option. Therefore, Raissyan fails to disclose or teach a method of collecting and managing survey data. Since the Raissyan menu of options does not ask any questions of the caller, Raissyan also fails to teach presenting questions and recording the responses to those questions. Thus, Raissyan does not disclose or teach all the elements of the claimed invention.

Further with regards to claim 6, Raissyan does not disclose or teach “presenting at least one verbatim question and recording a verbal response if the drill-down response is not within a predetermined acceptable response range” as recited in claim 6.

As mentioned previously for claim 3, Raissyan may make a voice recording, but this voice recording is not in response to a question. Therefore, Raissyan fails to teach presenting at least one verbatim question. Thus, Raissyan does not disclose or teach all the elements of the claimed invention.

With regards to claim 8, Raissyan does not disclose or teach “means for presenting a first series of questions on satisfaction of service or product use to a survey participant; means for receiving a first series of answers responsive to the first series of questions for the input apparatus; means for using a first series answer to determine if the answer is within a predetermined acceptable range, wherein if the participant answers the first series question within the acceptable range, the first series of questions will continue; means for presenting a second series of questions drill-down questions, wherein a drill-down question is only initially presented when the participant does not answer a first series question within the acceptable range; and means for receiving a second series of answers responsive to the second series of questions for the input apparatus” as recited in claim 8.

As mentioned previously for claim 1, Raissyan merely discloses a menu of options from

which a caller may select a billing option. Since the Raissyan menu of options does not ask any questions of the caller, Raissyan fails to teach presenting a series of questions or receiving a series of answers responsive to the series of questions. Therefore, Raissyan does not disclose or teach all the elements of the claimed invention.

With regards to claim 9, Raissyan does not disclose or suggest "means for presenting a third series of questions of at least one verbatim question" as recited in claim 9.

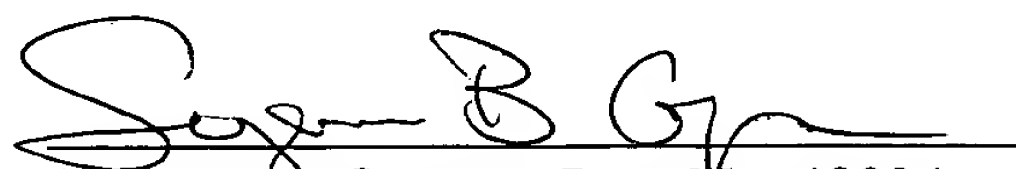
As mentioned previously for claim 3, Raissyan may make a voice recording, but this voice recording is not in response to a question. Therefore, Raissyan fails to teach presenting at least one verbatim question. Thus, Raissyan does not disclose or teach all the elements of the claimed invention.

In light of the foregoing, it is respectfully submitted that the present application is in a condition for allowance and notice to that effect is hereby requested. If it is determined that the application is not in a condition for allowance, the Examiner is invited to initiate a telephone interview with the undersigned attorney to expedite prosecution of the present application.

If there are any additional fees resulting from this communication, please charge same to our Deposit Account No. 16-0820, our Order No. 32668.

Respectfully submitted,  
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